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7 BOLIN,
8 Plaintiff,
9 v.
10 WARDEN,
11 Defendant.

Case No. [24-cv-00233-JSW](#)

ORDER OF TRANSFER

12 Petitioner, a California prisoner proceeding without an attorney at the California Medical
13 Facility in Vacaville, California, filed a “notice of independent action” seeking relief from a
14 criminal judgment out of Kern County Superior Court. In light of the relief sought, Court
15 construes this filing as a petition for a writ of habeas corpus under 28 U.S.C. § 2254.

16 A petition for a writ of habeas corpus made by a person in custody under the judgment
17 and sentence of a state court of a state which contains two or more federal judicial districts may be
18 filed in either the district of confinement or the district of conviction. *See* 28 U.S.C. § 2241(d).
19 Each of such districts shall have concurrent jurisdiction to entertain the petition; however, the
20 district court for the district where the petition is filed may transfer the petition to the other district
21 in the furtherance of justice. *See id.* Federal courts in California traditionally have chosen to hear
22 petitions challenging a conviction or sentence in the district of conviction. *See Dannenberg v.*
23 *Ingle*, 831 F. Supp. 767, 768 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal.
24 1968).

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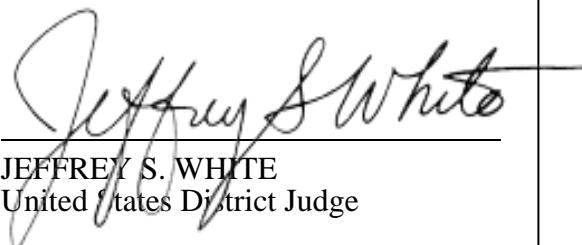
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1 Kern County and Vacaville (in Solano County) are both located within the venue of the
2 Eastern District of California. *See* 28 U.S.C. § 84. Accordingly, in the interest of justice, this case
3 is TRANSFERRED to the United States District Court for the Eastern District of California.

4 The Clerk shall transfer this matter forthwith.
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7 **IT IS SO ORDERED.**

8 Dated: January 18, 2024

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12 JEFFREY S. WHITE
13 United States District Judge
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